



12.27.04

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : **Michael Meguid**
Appl. No. : **10/802,996**
Filed : **03/17/2004**
Title : **ANIMAL WITH SURGICALLY MODIFIED
GASTROINTESTINAL TRACT AND METHOD
FOR STUDYING OBESITY**
Art Unit : **1632**
Examiner : **Joanne Hama**
Dkt. No. : **R1410**

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Sir:

In response to the Restriction Requirement dated October 8, 2004, Applicant hereby provisionally elects Examiner's Group I, claims 1-8, drawn to an animal model comprising a surgical modification that reduces the volume of the stomach, classified in class 800, subclass 8. This election is made with without traverse, and Applicant hereby reserves the right to file a divisional application in connection with unelected



claims 9-10, and 11-23.

No additional fee is required. However, the Honorable Commissioner is hereby authorized to charge payment of any fees due with this communication or credit any overpayment to Deposit Account No. 503033. Should the Examiner require or request anything further from Applicant prior to examination, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below. Otherwise, Applicant requests early and favorable examination on the merits.



Sander Rabin
Sander Rabin
Reg. No. 53,498

Dated: December 22, 2004

Sander Rabin MD
Convergent Technology Patent Law Group
2 Irving Place
Troy, New York 12180-4417
(518) 272-7962





WHITEMAN OSTERMAN & HANNA LLP

ATTORNEYS AT LAW

ONE COMMERCE PLAZA ALBANY, NEW YORK 12260

TEL 518.487.7600 FAX 518.487.7777

woh.com

Sander Rabin MD JD

Convergent Technology Patent Law GroupSM

Direct Dial: 518.487.7683 srabin@woh.com

December 22, 2004

Commissioner of Patents
Box 1450
Alexandria, VA 22313-1450

Re: Nonprovisional Patent Application

**Title: ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL
TRACT AND METHOD FOR STUDYING OBESITY**

Docket No. RFSUNY-3673 R1410

Serial No. 10/802,996

Dear Sir:

TROY OFFICE:

Enclosed is a Response to a Restriction Requirement and corresponding paperwork for the above-referenced matter, which are being submitted for filing with the United States Patent and Trademark Office.

Two
Irving Place

Troy,
New York
12180-4417

Tel
518.272.7962

Fax
518.274.2424

srabin@
convergentIP
.com

Very truly yours,
Convergent Technology Patent Law Group

Sander Rabin, MD JD

Enclosures

BIOMEDICINE BIOTECHNOLOGY NANOMEDICINE



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
R1410

In Re Application Of:

Michael M. Meguid, MD

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/802,996	March 17, 2004	HAMA, JOANNE	41672	1632	

Title:

**ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL TRACT AND METHOD FOR STUDYING
OBESITY**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Restriction Requirement

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
 - Charge the amount of _____.
 - Credit any overpayment.
 - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Sander Rabin
Signature

Dated: December 22, 2004

Sander Rabin MD JD
Convergent Technology Patent Law Group
2 Irving Place
Troy, NY 12180-4417
(518) 272-7962
Registration No. 53,498

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 22, 2004.

Jina Bolcar
(Date)
Signature of Person Mailing Correspondence

Jina Bolcar
Typed or Printed Name of Person Mailing Correspondence

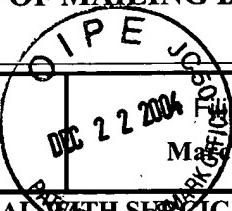
cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s):

Serial No.
10/802,996Invention: **ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL TRACT AND METHOD FOR STUDYING OBESITY**

Docket No.

R1410Filing Date
March 17, 2004Examiner
HAMA, JOANNEGroup Art Unit
1632

I hereby certify that the following correspondence:

Response to Restriction Requirement

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

December 22, 2004

(Date)

Tina Bolcar

(Typed or Printed Name of Person Mailing Correspondence)

Tina Bolcar

(Signature of Person Mailing Correspondence)

EE470772033US

("Express mail mailing Label Number")

Note: Each paper must have its own certificate of mailing.